

## **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Canceled).

2. (Currently Amended) The method of claim 4 34 wherein step (a**1**b1) comprises (a**1**b1) receiving a plurality of item category selections from the customer, each item category representing an area of potential interest to the customer; (a**2**b2) displaying information identifying a plurality of sample preference items representing subclasses in each category; and (a**3**b3) selecting sample preference items based on information received from the customer.

3. (Currently Amended) The method of claim 2 wherein step (a**3**b3) comprises receiving a rating from the customer for each displayed sample preference item and selecting sample preference items based on the received rating.

4. (Currently Amended) The method of claim 4 34 wherein the consumer preference test is conducted before a live audience.

5. (Currently Amended) The method of claim 4 34 wherein the consumer preference test is conducted individually respondent by respondent with a plurality of respondents and each respondent rates each of a plurality of preference items.

6. (Canceled).

- 1 7. (Currently Amended) The method of claim 6 34 wherein the distances are scaled  
2 to fall within a predetermined range.
- 1 8. (Currently Amended) The method of claim 4 34 wherein step (ed) comprises  
2 displaying the recommended items to the customer under control of the  
3 processor.
- 1 9. (Currently Amended) The method of claim 4 34 wherein step (ab) comprises  
2 generating information identifying a plurality of profile sample items based on  
3 selections made by a customer and on information identifying items  
4 recommended in step (ed).
- 1 10. (Currently Amended) The method of claim 4 34 wherein step(ab) further  
2 comprises generating information identifying a plurality of profile sample items by  
3 displaying information identifying items recommended in step (ed) to a customer,  
4 receiving a rating from the customer for each displayed item and using the  
5 received ratings to generate the information identifying a plurality of profile  
6 sample items.
- 1 11. (Currently Amended) The method of claim 4 34 wherein the preference items are  
2 songs.
- 1 12. (Currently Amended) The method of claim 4 34 wherein the preference items are  
2 movies.
- 1 13. (Currently Amended) The method of claim 4 34 wherein the preference items are  
2 television shows.
- 1 14. (Currently Amended) The method of claim 4 34 wherein the preference items are  
2 books.

- 1 15. (Currently Amended) The method of claim 4 34 wherein the preference items are  
2 fashions.
16. (Canceled).
- 1 17. (Currently Amended) The apparatus of claim 46 35 wherein the profile generator  
2 comprises:  
3 a category generator that receives a plurality of item category selections  
4 from the customer, each item category representing an area of potential interest  
5 to the customer;  
6 a sample profile item generator that displays information identifying a  
7 plurality of sample preference items representing subclasses in each category;  
8 and  
9 an item thresholding unit that selects sample preference items based on  
10 information received from the customer.
- 1 18. (Original) The apparatus of claim 17 wherein the sample item profile generator  
2 comprises an input mechanism for receiving a rating from the customer for each  
3 displayed sample preference item and the item thresholding unit selects sample  
4 preference items based on the received ratings.
- 1 19. (Currently Amended) The apparatus of claim 46 35 wherein the consumer  
2 preference test is conducted before a live audience.
- 1 20. (Currently Amended) The apparatus of claim 46 35 wherein the consumer  
2 preference test is conducted individually respondent by respondent with a  
3 plurality of respondents and each respondent rates each of a plurality of  
4 preference items.

21. (Canceled).

1 22. (Currently Amended) The apparatus of claim 24 36 wherein the distances are  
2 scaled to fall within a predetermined range.

1 23. (Currently Amended) The apparatus of claim 46 36 wherein the ~~recommendation~~  
2 presentation unit comprises a display that displays the recommended items to  
3 the customer.

1 24. (Currently Amended) The apparatus of claim 46 36 wherein the profile generator  
2 generates information identifying a plurality of profile sample items based on  
3 selections made by a customer and on information identifying recommended  
4 items calculated by the recommendation unit.

1 25. (Currently Amended) The apparatus of claim 46 36 wherein the profile generator  
2 comprises a display that displays recommendations generated by the  
3 recommendation unit to a customer, an input mechanism that receives a rating  
4 from the customer for each displayed item and the item thresholding unit selects  
5 sample preference items using the received ratings.

1 26. (Currently Amended) The apparatus of claim 46 36 wherein the preference items  
2 are songs.

1 27. (Currently Amended) The apparatus of claim 46 36 wherein the preference items  
2 are movies.

1 28. (Currently Amended) The apparatus of claim 46 36 wherein the preference items  
2 are television shows.

1 29. (Currently Amended) The apparatus of claim 46 36 wherein the preference items  
2 are books.

1 30. (Currently Amended) The apparatus of claim 46 36 wherein the preference items  
2 are fashions.

31.-32. (Canceled).

33. (Currently Amended) The computer program product of claim ~~32~~ 36 wherein the  
consumer preference test is conducted with a plurality of respondents and each  
respondent rates each of a plurality of preference items ~~and wherein the program  
code for generating the database information comprises program code for  
calculating a distance in the database between a pair of preference items by  
calculating the difference in preference ratings between the pair of preference  
items for each respondent and combining the preference rating differences for all  
respondents.~~

1 34. (New) A computer-implemented method for use in a computer having a  
2 processor and a memory for generating recommendations for consumer  
3 preference items, comprising:  
4 (a) creating and maintaining a database in the memory that stores information  
5 identifying a plurality of preference items and distances between each pair  
6 of items, wherein each distance in the database is calculated by first  
7 calculating the difference in preference ratings obtained from a respondent  
8 in consumer preference test for that pair of preference items and  
9 combining calculated preference rating differences for all respondents in  
10 the consumer preference test;  
11 (b) generating information identifying a plurality of profile sample items in the  
12 database based on selections made by a customer;

- (c) controlling the processor to scan the database and to select consumer preference items wherein the stored distance between each profile sample item and a selected consumer preference item is less than or equal to a predetermined fixed distance; and
- (d) presenting the selected consumer preference items to the customer as a recommendation.

35. (New) Apparatus for generating recommendations for consumer preference items, comprising:

- a recommendation database in the memory that stores information identifying a plurality of preference items and distances between each pair of items, wherein each distance in the database is calculated by first calculating the difference in preference ratings obtained from a respondent in consumer preference test for that pair of preference items and combining calculated preference rating differences for all respondents in the consumer preference test;
- a profile generator that generates information identifying a plurality of profile sample items based on selections made by a customer;
- a recommendation unit that scans the database and selects consumer preference items wherein the stored distance between each profile sample item and a selected consumer preference item is less than or equal to a predetermined fixed distance; and
- a presentation unit that presents the selected consumer preference items to the customer as a recommendation.

36. (New) A computer program product for generating recommendations for consumer preference items, the computer program product comprising a computer usable medium having computer readable program code thereon, including:

- program code for creating and maintaining a database in the memory that stores information identifying a plurality of preference items and distances between each pair of items, wherein each distance in the database is calculated

8 by first calculating the difference in preference ratings obtained from a  
9 respondent in consumer preference test for that pair of preference items and  
10 combining calculated preference rating differences for all respondents in the  
11 consumer preference test;

12 program code for generating information identifying a plurality of profile  
13 sample items in the database based on selections made by a customer;

14 program code for controlling the processor to scan the database and to  
15 select consumer preference items wherein the stored distance between each  
16 profile sample item and a selected consumer preference item is less than or  
17 equal to a predetermined fixed distance; and

18 program code for presenting the selected consumer preference items to  
19 the customer as a recommendation.